

A DECLARATION Of the Rights of Englishmen. *K*

Declaration of those Rights of the Commonalty of Great Britain, without which they cannot be *Free*.

IT IS DECLARED, *41 11 6 275*

FIRST, That the Government of this Realm, and the making of Laws for the same, ought to be lodged in the hands of King, Lords of Parliament, and Representatives of the whole Body of the Freemen of this Realm.

Secondly, That every man of the Commonalty (excepting infants, insane persons, and criminals) is of common right, and by the laws of God, a *freeman*, and entitled to the full enjoyment of *liberty*.

Thirdly, That Liberty or Freedom consists in having an *actual share* in the appointing those who frame the laws, and who are to be the Guardians of every man's life, property, and peace. For, the *all* of one man is as dear to him as the *all* of another; and the poor man has an *equal* right, but more need, to have Representatives in the Legislature, than the rich one.

Fourthly, That they who have *no* voice nor *vote* in the electing of Representatives, *do not enjoy* liberty; but are absolutely *enslaved* to those who *have* votes, and to their *Representative*: for to be enslaved, is to have Governors whom *other men have set over us*, and to be subject to laws *made by the Representatives of others*, without having had Representatives of our own to give consent in *our* behalf.

Fifthly, That a *very great majority* of the Commonalty of this Realm are denied the privilege of voting for Representatives in Parliament; and consequently, they are enslaved to a *small number*, who do now enjoy this privilege exclusively to themselves; but who, it may be presumed, are far from wishing to continue in the exclusive possession of a privilege, by which their fellow-subjects are deprived of *common right*, of *justice*, of *liberty*; and which, if not communicated to all, must *speedily cause the certain overthrow* of our happy *constitution*, and enslave us *all*.

And, sixthly, and lastly, We also say, and do assert, that it is *the right* of the Commonalty of this Realm to elect a *new* House of Commons once in *every year*, according to ancient and sacred laws of the land: because, whenever a Parliament continues in being for a *longer term*, very great numbers of the Commonalty, who have arrived at the years of manhood since the last election, and *therefore* have a right to be actually represented in the House of Commons, are then *unjustly deprived* of that right.

Judge Blackstone, in the second chapter of the first book of his Commentaries, speaking of Parliaments, says, It is a matter most essential to the liberties of this kingdom, that such Members be delegated to this important trust, as are most eminent for their *probity*, their *fortitude*, and their knowledge; for it was a known apothegm of the great Lord Treasurer Burleigh, "That England could never be ruined but by a Parliament; and as Sir Matthew Hale observes, this being the highest and greatest Court, over which none other can have jurisdiction in the kingdom, if by any means a *misgovernment* should any way fall upon it, the subjects of this kingdom are left without all manner of remedy. To the same purpose the President Montesquieu presages, that as Rome, Sparta, and Carthage, have lost their liberty and perished, so the Constitution of England will in time lose its *liberties*, and *perish*; it will perish whenever the *legislative* power shall become more *corrupt* than the executive.

The above is recommended to the attention of the people of England, to admonish them to keep vigilant watch over the acts of their Representatives, and to mark their alarming consequences.

The great Locke says (as quoted by Blackstone), "There remains still inherent in the people, a supreme power, to *remove* or *alter* the legislative, when they find the legislative act *contrary* to the trust reposed in them: for when such trust is *abused*, it is thereby forfeited, and devolves to those who gave it."